

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:94-cr-00017-FDW

USA,)
)
vs.)
)
WILLIE LEE HARRIS,) ORDER
)
DEFENDANT.)
_____)

THIS MATTER is before the Court on Defendant's Pro Se Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A) based on "extraordinary and compelling reasons." (Doc. No. 409). The Government responded in opposition, (Doc. No. 412), and since that time, Defendant has supplemented his initial motion with additional materials supporting the relief requested. Since sur-reply briefs are not allowed as a matter of course, the Government has not responded to these supplemental filings. In addition, since the filing of the initial motion and response in opposition, the Fourth Circuit Court of Appeals has issued relevant guidance on the law applicable to the arguments before the Court. See, e.g., Doc. No. 441 (citing United States v. McCoy, 981 F.3d 271 (4th Cir. 2020); United States v. High, 997 F.3d 181 (4th 2021)). After reviewing the motion and supplemental filings, the Court finds that a Supplemental PSR from the United States Probation Office and one final opportunity for supplemental briefing from both the Government and Defendant would aid the Court.

IT IS THEREFORE ORDERED that the United States Probation Office is DIRECTED to prepare a supplemental presentence report. The supplemental PSR shall be filed within twenty-eight (28) days and also served on Defendant. The Government shall have fourteen (14) days from the filing of the supplemental PSR to submit a final response to the pending motion, and Defendant

shall have twenty-one (21) days after service of the Government's response to file his final brief in support of the relief requested.

IT IS SO ORDERED.

Signed: April 4, 2023


Frank D. Whitney
United States District Judge